

WOLVERINE WORLD WIDE, INC.

Response to U.S. EPA Request for Information Pursuant to CERCLA Section 104(e) **Dated December 1, 2017**

PART I

Pursuant to discussion with and correspondence to Mr. Thomas Williams, Associate Regional Counsel, set forth below is Part I of the response of Wolverine World Wide, Inc. (“Wolverine”) to the referenced request for information dated December 1, 2017 pursuant to Section 104(e) of CERCLA (“the Request”). Wolverine provides the following responses to items 40-49 and 51-61 of the Request.

Wolverine will respond to the remaining Request items in Part II of its response, which will be provided no later than January 31, 2018.

GENERAL OBJECTIONS

In responding to the Request, Wolverine has undertaken a diligent and good-faith search for and review of information and documents in its possession, custody, and control. With that said, Wolverine does not represent or warrant that all responsive documents have been identified during this review. Wolverine is actively investigating these issues and reserves the right to voluntarily supplement this response when, and if, additional information becomes available. Wolverine asserts the following general privileges, protections, and objections with respect to the Request.

1. Wolverine objects to Instruction 3 to the extent it seeks to require Wolverine to seek out responsive information from former employees and agents. Wolverine is providing information within its possession, custody, and control.
2. Wolverine objects to Instruction 4 as unreasonably burdensome, especially in the short time permitted for this response. Responsive, non-privileged documents are attached and bates-numbered. Wolverine will provide names of individuals who assisted in responses in a supplemental response.
3. Wolverine objects to Instruction 5. Wolverine is responding to this Request with information within its possession, custody, and control, and Wolverine will similarly comply with any lawful future requests that are within the EPA’s authority. Wolverine reserves the right to supplement its responses at any time should additional information become available.
4. Wolverine objects to Instructions 6 and 7 to the extent it seeks to require Wolverine to provide privileged or confidential documents. Wolverine asserts all available privileges and protections, including, but not limited to, the attorney-client privilege, the attorney work-product doctrine, all privileges and protections related to materials generated in anticipation of litigation, the settlement communication protection, the confidential business information (“CBI”) and trade secret protections, the joint defense privilege, and any other privilege or protection available to it under law. Wolverine is not providing privileged documents or CBI documents. Inadvertent

disclosure of any information or materials subject to such privilege or protection does not constitute a waiver of the privilege or protection or the right of Wolverine to object to discovery, disclosure, or use of such information or materials. In the event that a privileged or protected document has been inadvertently included among the documents produced in response to the Request, Wolverine asks that any such document be returned to Wolverine immediately.

5. Wolverine objects to the Request's definition of "documents." Wolverine disclaims any responsibility to search for, locate, or provide the EPA with copies of any documents "known [by Wolverine] to exist," or to identify documents that "have been transferred to others or have otherwise been disposed of" without Wolverine's knowledge. Further, Wolverine objects to the definition of "documents" as overly broad and unduly burdensome. Wolverine is providing known, responsive, non-privileged information and documents within its possession, custody, and control.

6. Wolverine objects to the Request to the extent that it asks Wolverine to describe certain items in detail and to separately provide information that is contained in documents furnished to or already in the possession of the EPA. Documents that were previously provided to the EPA are provided again as a courtesy as part of this Response. Information sought by the EPA that is set forth in those documents is not separately stated in detail in this Response. In those circumstances, to the extent that a more complete answer to such requests can be determined by examining the provided documents, the burden of that examination is the same for Wolverine and the EPA. Requiring Wolverine to separately provide a detailed answer, rather than referring to the provided documents, would be unduly burdensome.

6. Wolverine objects to the scope of the Request as it is unreasonably broad and exceeds the authority granted to the EPA pursuant to CERCLA Section 104(s). The Request seeks disclosure of voluminous documents having no connection whatsoever to the alleged environmental impacts in the Rockford, Michigan area giving rise to the Request. As such, the Request is not intended to generate information to address environmental response issues and represents an abuse of the EPA's enforcement discretion.

As used in this response document, the term "House Street Site" or "Site" refers only to the real property currently owned by Wolverine and formerly used for disposal of waste, as described in the below response to Request 42(a).

OBJECTIONS AND RESPONSES

D. Questions Regarding the House Street Site

40. Describe the nature of your activities or business at the House Street Site, with respect to, processing, storing, treating, disposing, or otherwise handling hazardous substances, pollutants or contaminants.

Based on information currently available, Wolverine believes the House Street Site was first used by Wolverine Shoe and Tanning Corp. in or about 1940 for disposal of tannery waste. At that time, the House Street Site was owned by Ben and Martha Piasecki. Mr. Piasecki, a farmer, gave Wolverine Shoe and Tanning Corp. oral permission to dispose of

tannery waste on the Site. Wolverine understands that Mr. Piasecki desired the waste material for its fertilizer or soil amendment properties. In 1948, Mr. Piasecki stopped farming the Site, and Wolverine Shoe and Tanning Corp. leased the land for use as a tannery waste disposal site. In 1964, Wolverine Shoe and Tanning Corporation acquired interest in the House Street Site from Mr. and Mrs. Piasecki as a Land Contract vendee. In 1967 and 1968, Wolverine World Wide, Inc. became the fee owner of the House Street Site pursuant to two Deeds from Mr. and Mrs. Piasecki in fulfillment of the Land Contract. Wolverine continued to use the House Street Site for tannery waste disposal until 1970. Wolverine currently owns the House Street Site.

Starting in 1964, Wolverine managed waste on the House Street Site in trenches, seepage pits, and basins.

Public Act 87 of 1965 was enacted effective June 28, 1965 and provided for the licensing of solid waste disposal sites. In a letter dated August 4, 1965, the Supervising Sanitarian of the Grand Rapids-Kent County Health Departments advised the Michigan Department of Public Health ("MDPH") that there would be no public health reason to deny a license to the House Street Site under Public Act 87. By an application dated April 28, 1966, using a form developed in January 1966, Wolverine applied to the MDPH for a landfill license under Public Act 87 for the House Street Site. The application was approved by a letter from the MDPH dated June 16, 1966. Wolverine continued to renew the House Street Site license annually through August 31, 1978. To Wolverine's knowledge, no disposal occurred at the House Street Site after 1970.

Based on its investigation so far, Wolverine believes that throughout this period tannery waste, including, but not limited to, waste water treatment plant sludge, solid waste, lime liquor, raw hides, unreclaimable hair, barrels, lumber, and general rubbish were disposed of at the Site. Wastewater treatment sludge was initially disposed of on the ground surface, and later in trenches that were covered daily. The other tannery wastes noted above were buried at the House Street Site.

See enclosed responsive, non-privileged documents, including, but not limited to, February 9, 1966 Interrogatory Responses signed by F.G. Burch.

Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

41. State the dates during which you owned, operated, and/or leased the House Street Site, and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g., deeds, leases, etc.).

See response to Request 40.

Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

42. Provide information about the House Street Site, including but not limited to the following:

a. Property boundaries, including a written legal description;

See enclosed responsive, non-privileged documents, including, but not limited to the property survey.

b. Location of underground utilities (telephone, electrical, sewer, water main, etc.);

Based on current information, Wolverine is not aware of any underground telephone, electrical, sewer, or water main utilities.

c. Surface structures (e.g., buildings, tanks, etc.);

Based on current information, Wolverine believes that the only surface structures on the House Street Site are above-ground power lines.

d. Ground water wells, including drilling logs;

See enclosed responsive, non-privileged documents, including, but not limited to, November 27, 2017 Conceptual Site Model and Remedial Investigation Work Plan. Updated report is scheduled to be released to MDEQ on January 30, 2018 and will be provided to the EPA in a supplemental response.

e. Storm water drainage system, and sanitary sewer system, past and present, including septic tank(s), subsurface disposal field(s), and other underground structures; and where, when and how such systems are emptied;

Based on current information, Wolverine is not aware of any past or present storm water drainage system or sanitary sewer system, including any septic tank(s), subsurface disposal field(s), or other underground structures.

f. Any and all additions, demolitions, or changes of any kind on, under, or about the Site, to its physical structures, or to the property itself (e.g., excavation work); and any planned additions, demolitions, or other changes to the House Street Site; and

Based on current information, none except for excavation incident to burial or covering of waste.

g. All maps and drawings of the Site in your possession.

See enclosed responsive, non-privileged documents, including, but not limited to, the property survey and aerial photographs of the Site.

Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

43. Identify all past and present solid waste units (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on the House Street Site. For each such solid waste unit identified, provide the following information:

a. The unit's boundaries and the location of all known solid waste units whether currently in operation or not;

See enclosed responsive, non-privileged documents, including, but not limited to, historical maps and drawings of the Site. Further information is unknown to Wolverine at this time.

b. The type of unit (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit;

See enclosed responsive, non-privileged documents, including, but not limited to, historical maps and drawings of the Site.

c. The dates that the unit was in use;

See enclosed responsive, non-privileged documents, including, but not limited to, historical maps and drawings of the Site. Wolverine has no records or information documenting the dates of usage for specific units.

d. The purpose and past usage (e.g., storage, spill containment, etc.);

See enclosed responsive, non-privileged documents, including, but not limited to, historical maps and drawings of the Site.

e. The quantity and types of materials (hazardous substances, pollutants, contaminants and/or any other chemicals) located in each unit;

See Wolverine response to Request 40 as well as the enclosed responsive, non-privileged documents. Further information is unknown to Wolverine at this time.

f. Any data resulting from sampling of the materials in the unit; and

See enclosed responsive, non-privileged documents, including, but not limited to, laboratory results and the November 27, 2017 Conceptual Site Model and Remedial Investigation Work Plan. Analytical results for samples of in-place waste at the Site will be included in the Remedial Investigation ("RI") report to be prepared pursuant to the enclosed RI work plan, which is presently awaiting formal approval by the MDEQ.

- g. The construction (materials, composition), volume, size, dates of cleaning, and condition of each unit.**

See enclosed responsive, non-privileged documents, including, but not limited to, historical maps and drawings. See also response to Request 40.

To Wolverine's knowledge, no units underwent cleaning or removal/transfer of residuals.

- h. If the unit is no longer in use, how was such unit closed and what actions if any were taken to prevent or address potential or actual releases of waste constituents from the unit.**

See response to Request 40. Based on information currently available, Wolverine believes that the units at the Site did not undergo formal closure.

- i. If any media were sampled during closure, provide all data collected relating to materials in that unit.**

Based on information currently available, Wolverine believes that the units at the Site did not undergo formal closure. Accordingly, there was no closure sampling or data collection.

- j. If material was ever removed from a unit, what is the disposition of that material? Was it transported or moved to a different unit at the House Street Site or to a unit at another location?**

Wolverine has conducted limited removal of surface debris and disposed of the debris at a licensed landfill.

Wolverine is actively investigating these issues and reserves the right to supplement its responses to Request 43 (a) through (j) when, and if, additional information becomes available.

44. Identify the House Street Site's current owner and that entity's or individual's relationship to Respondent, if any.

Wolverine currently owns the House Street Site.

45. Provide any information indicating in any way that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the House Street Site during the period prior to which Respondent owned, operated and/or leased the House Street Site.

- a. If an actual release occurred, please describe any and all response activities initiated to address the release.**

See response to Request 40. Wolverine has no knowledge of any spill or release of a hazardous substance, pollutant, or contaminant at the House Street Site prior to Wolverine's use of the site. Wolverine understands that the House Street Site also received wastes from the City of Rockford and possibly other third parties. However, Wolverine has no documentation or specific information concerning the volume, nature, timing, or duration of such disposal.

Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

46. Provide any information indicating in any way that hazardous substances, pollutants or contaminants were placed at the House Street Site following the date upon which Respondent, its agents or contractors ceased placing or disposing wastes at the House Street Site.

Wolverine has no knowledge of any hazardous substances, pollutants or contaminants being placed at the House Street Site following the date upon which Wolverine, its agents and contractors ceased disposing of tannery waste at the House Street Site in or around 1970. Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

47. Provide copies of all local, state, and federal permits ever granted for waste treatment, storage or disposal at the House Street Site or any part thereof (e.g., RCRA permits, NPDES permits, etc.).

See response to Request 40 regarding Act 87 licenses issued to Wolverine for the House Street Site. To Wolverine's knowledge, no other permits were issued to or regarding the House Street Site pursuant to RCRA or the Clean Water Act, or any other local, federal, or state law governing waste treatment, storage, or disposal. When, and if, additional responsive documents are located, Wolverine will supplement its response to Request 47.

48. Did the House Street Site ever have "interim status" under RCRA?

To Wolverine's knowledge, the House Street Site never had interim status under RCRA. Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

49. Did the Respondent ever file a notification of hazardous waste activity regarding the House Street Site under RCRA? If so, provide a copy of such notification.

To Wolverine's knowledge, it never filed a notification of hazardous waste activity regarding the House Street Site under RCRA. Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

F. Questions Regarding Respondent's Current Response Actions in Rockford, Michigan

- 51. Provide all reports, information, sample analysis, laboratory results, or data related to soil, sediment, sludge, water (ground and surface), drinking water, air quality and geology/hydrogeology prepared by you or at your direction regarding the House Street Site. Include all documents containing analysis or interpretation of such data, and any past and current aerial photographs of the House Street Site.**

Information responsive to this request is provided in responses to Requests 40-49. See enclosed responsive, non-privileged documents including, but not limited to: November 27, 2017 Conceptual Site Model and Remedial Investigation Work Plan. Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

- 52. Provide a copy of all work plans prepared by you or at your direction that identify sampling and analytical procedures to be observed or employed by your contractors, including laboratories, for sampling of any medium (soil, groundwater, etc.) taken or to be taken at or in the vicinity of Rockford, Michigan.**

See enclosed responsive, non-privileged documents in Wolverine's possession that have been reviewed to date, including, but not limited to: November 27, 2017 Conceptual Site Model and Remedial Investigation Work Plan; and aerial photographs. The Michigan Department of Environmental Quality's ("MDEQ") contractor, AECOM, is preparing a state-wide PFAS Quality Assurance Project Plan ("QAPP") and Sampling and Analysis Plan ("SAP") for use throughout Michigan. When the statewide PFAS QAPP and SAP are completed and given the requisite approval/authorization, Wolverine plans to adopt all applicable portions and at that time will supplement this response.

Representatives of the EPA have participated by telephone in multiple conferences, held four days a week, with the House Street—North Kent Investigations Project Coordination Meetings, which serve to update various governmental agencies and other constituents regarding daily and weekly work activities in the Rockford, Michigan area.

Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

- 53. Provide a copy of all figures or maps prepared by you or at your direction that show the locations for samples collected or to be collected at the House Street Site and areas in the vicinity of Rockford, Michigan by you or your contractors. Additionally, explain how these sampling locations have been selected.**

See enclosed responsive, non-privileged documents including, but not limited to, the survey provided in response to Request 42 showing monitoring well locations at the House Street Site. See also the enclosed map showing residential wells sampled in the vicinity of the House Street Site. Additional sampling, from other sites in the Rockford, Michigan area as well as the House Street Site, is ongoing. Wolverine will supplement its response

to Request 53 when additional results are available. Wolverine does not yet have a map showing soil and solid material sampling locations at the House Street Site, but will provide one as a supplement to this response when it is available.

Wolverine continues to receive and respond to referrals of suspected historical tannery waste disposal sites from the MDEQ, which may result in additional residential well sampling. Wolverine will supplement this response as new information is developed.

Wolverine's contractors selected sampling locations at the House Street Site based on historical aerial photographs, available historical drawings, and best professional judgment. Residential wells in the vicinity of the House Street Site were selected for sampling by the MDEQ.

54. Provide a copy of all figures or maps prepared by you or at your direction that show the locations or addresses at which owners or tenants or property in the vicinity of Rockford, Michigan have been provided bottled water, or have had water filters installed, or have received any other form of alternate drinking water.

See enclosed, responsive, non-privileged information showing locations of residences at which property owners and tenants have been offered bottled water. Most, but not all, residents have accepted Wolverine's offer of bottled water.

Wolverine is actively investigating these issues and reserves the right to supplement this response when, and if, additional information becomes available.

55. Identify the constituents for which you have performed or arranged for the performance of sample analysis for samples taken from the House Street Site and sampling locations in its vicinity in each of the following media:

a. Drinking water

PFAS have been tested in all homes. In addition, for the initial approximately 30 homes, MDEQ also tested drinking water samples for volatile organic compounds and metals with no results above relevant standards.

b. Groundwater

Groundwater testing was done on the House Street Site and is presented in the enclosed November 27, 2017 Conceptual Site Model and Remedial Investigation Work Plan.

c. Surface water

Wolverine has taken no surface water samples at the House Street Site.

d. Soil

Wolverine has collected samples of material in the vadose zone at the House Street Site consisting of a mixture of soil and waste material. Samples were analyzed for metals (including hexavalent chromium), semivolatiles, volatile organic compounds, and PFAs. Sample results are currently pending and will be provided as a supplement to this response.

e. Sediments

Wolverine has taken no sediment samples at the House Street Site.

f. Sludges

See responsive, non-privileged documents enclosed in response to Request 43(f).

56. Describe any community engagement activities you have conducted regarding contamination at or in the vicinity of Rockford, Michigan. Provide copies of documents or correspondence provided to residents regarding contamination at the House Street Site and/or PFAS drinking water contamination in the vicinity of Rockford, Michigan.

See Kent County Department's PFAS—House Street Disposal Area website (<https://www.accesskent.com/Health/PFAS/belmont.htm>) and Wolverine's blog (www.wearewolverine.com) for a summary of all community activities that have taken place to date, including documents that have been provided by Wolverine. See also, enclosed responsive, non-privileged documents including an example of the type of letter given to residents selected for well-water sampling.

57. Identify any areas or specific locations in addition to the House Street Site and its vicinity at which you or your contractors are sampling and testing residential drinking water. Include a map in your response that shows these areas, and indicate in your response how these areas or locations were or are being selected (e.g., whether they are adjacent to or near other waste disposal areas, are in the vicinity of air deposition fall out, etc.).

See response to Request 53.

58. Identify all public water systems as defined in 40 CFR § 141.2 (community water systems, non-community water systems, etc.) in the vicinity of the House Street Site, the Tannery Site, other manufacturing facilities, or other locations in Kent County, Michigan that you have sampled for ScotchgardTM or other PFAS-related compounds. Indicate in your response:

- a. **which ones were tested and the results of sampling analysis;**

See enclosed responsive, non-privileged documents for a list of wells and water systems tested and the results thereof. Public water systems tested include Rockford East Middle School and various type 3 non-community water systems.

- b. **whether any public water systems declined to allow such sampling.**

No.

59. Indicate whether the laboratory or laboratories conducting the analyses on water samples is (are) using EPA Method 537 or a modified version thereof. If the latter, indicate what modifications have been made to EPA Method 537, and identify how these changes affect data quality.

Wolverine will provide additional information regarding the specific sampling protocols in a supplemental response.

60. Indicate whether you are performing or arranging for performance of re-testing or confirmation sampling for residential well water where analytical results show PFAS-related compounds, singly or in combination, in concentrations at or near 70 parts per trillion (ppt) and, if so, the concentration that is being used for determining whether to collect re-testing or confirmation samples.

Wolverine objects to the EPA's misapplication of its own human lifetime health advisory level of 70 ppt, which applies only to the sum of PFOS and PFOA, not to all PFAS-related compounds. Working under the close supervision of the MDEQ, Wolverine has investigated over 1,000 residential wells to identify those in which PFOS and/or PFOA is present at a combined concentration in excess of the EPA human lifetime health advisory level.

During pendency of the test results, homes are offered bottled water and gift cards to purchase water.

Homes for which testing results indicate a single detection of PFOS or PFOA are offered point of entry filtration systems. No further pre-installation testing is performed. After installation of point of entry filtration systems, confirmation samples are taken.

61. With respect to water filters you or entities or persons acting at your direction have installed in residences or public water supplies identify:

Wolverine has generally installed two types of filter systems at affected residences served by wells: point of entry ("POE") treatment systems, also known as whole-house filtration systems, and point of use ("POU") systems consisting of filtration devices installed at individual taps (e.g., a kitchen sink). Both types of system utilize activated carbon filtration to reduce PFOA and PFOS to considerably less than 70 ppt.

The following responses to items (a) through (g) differentiate between POE and POU filtration systems.

Wolverine has not installed filtration systems in any public water supply systems.

a. The filters' designer, and whether that person or entity has a professional engineer's license issued by the State of Michigan;

Most point of entry systems were designed by Bryan L. Rose, a licensed Professional Engineer in Michigan.

POU filtration systems were designed by Aquasana, Inc., a manufacturer and vendor of residential water filtration systems, which are National Sanitation Foundation International ("NSF") P473 certified to remove PFOA and PFOS.

b. The identities of persons or entities that are installing the filters, and whether they have engineer's license issued by the State of Michigan or other qualifications;

POE and POU filtration systems are purchased from local Culligan franchisees and are plumbed into residential water lines and/or plumbing fixtures, as applicable, by the suppliers' plumbing contractors. Installation does not require a licensed professional engineer.

c. The methods by which the persons or entities installing the filters do this work, including whether there is sampling before and after installation and if so, the analytical parameters, evaluation of water pressure, water flow in piping, gathering information about water usage;

POE and POU filtration systems are installed in accordance with the instructions and manuals provided by the system vendors. With respect to the more specific items in the foregoing request:

- i. Homes within the House Street Study Area or House Street Buffer Zone were offered POE or POU filters regardless of PFOA or PFOS test results. Homes within the House Street Southeast Expansion Area, or Jewell/Wolven Study Area (including Wolven, Wolven West, and Wolven West North) were offered POU and POE filters if either PFOA or PFOS were detected.

If a resident selects POU filter only, Wolverine relies on NSF certification and monitors selected homes to verify their effectiveness. Wolverine's agents track installation dates and maintenance schedules and the POE filters alert residents when routine maintenance is needed.

If a resident selects Wolverine's standard POE filter only, or in combination with a POU filter, POE monitoring is performed within a few weeks of installation and as follows:

PFOA/PFOS non-detect: Annually
PFOA/PFOS 1-70 ppt: Semi-annually
PFOA/PFOS 71-1000 ppt: Quarterly
PFOA/PFOS 1001-7499 ppt: Monthly
PFOA/PFOS 7500 or greater: Weekly

Water is sampled and analyzed for PFOS and PFOA after installation to verify system efficacy in reducing PFOS and PFOA.

Wolverine provides maintenance based on this monitoring schedule.

Wolverine will respond to and address any reports of low pressure from recipients of filtration systems. Water flow is separately metered for Wolverine's standard POE filtration systems and self-metered for POU systems. Wolverine and the filtration system suppliers survey each owner's water usage prior to installation.

d. Whether anything is provided or installed in addition to the filter (e.g., treatment media such as chlorine);

Wolverine's standard POE system includes an ultraviolet disinfection device following carbon filtration.

e. Whether residences given filters are given contact information to report issues or pose questions;

Yes, owners and occupants are given information regarding the installed systems and contact information to report issues or pose questions.

f. Any releases or other documents residence occupants are given to review and/or sign; and

Owners and occupants of properties receiving filtration systems are not asked to sign or otherwise provide any kind of release, waiver, or other consideration of any nature whatsoever.

g. A description of how such filters are to be maintained, and who performs such maintenance.

Maintenance procedures are described above. Wolverine and its agents currently provide all necessary maintenance for POE and POU filtration systems.